

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND: CRIMINAL TERM**

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**THE PEOPLE OF THE STATE OF NEW YORK**

**-against-**

**Indictment No:**

**JOSEPH DAMIANO,**

**Filed:**

**File #: 12-0365**

**Docket No: 2012RI003869**

**SEALED AS TO COUNTS 1-3**

**Defendant**

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**THE GRAND JURY OF THE COUNTY OF RICHMOND**, by this Indictment, accuses the defendant of the crime of:

**CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE (P.L. § 220.16-12)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about March 29, 2012, knowingly and unlawfully possessed a preparation, compound, mixture and substance of an aggregate weight of one-half ounce or more containing a narcotic drug, namely oxycodone.

**C O U N T W O**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**FRAUD AND DECEIT (P.H.L. § 3397-4)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about March 19, 2012, was supplied with a controlled substance and prescription therefore, to wit: oxycodone, by one practitioner, namely, Dr. Jeffrey Goldstein, without the said defendant disclosing the fact that he was supplied during the same course of treatment with a controlled substance and a prescription therefor, to wit: oxycodone, by another practitioner, namely, Dr. Theodore Strange, on or about March 29, 2012.

## **C O U N T T H R E E**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**FRAUD AND DECEIT (P.H.L. § 3397-4)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about March 29, 2012, was supplied with a controlled substance and prescription therefore, to wit: oxycodone, by one practitioner, namely, Dr. Theodore Strange, without the said defendant disclosing the fact that he was supplied during the same course of treatment with a controlled substance and a prescription therefor, to wit: oxycodone, by another practitioner, namely, Dr. Jeffrey Goldstein, on or about March 19, 2012.

## **C O U N T F O U R**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE (P.L. § 220.09-1)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about April 23, 2012, knowingly and unlawfully possessed one or more preparations, compounds, mixtures and substances of an aggregate weight of one-eighth ounce and more containing a narcotic drug, namely, oxycodone.

## **C O U N T F I V E**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**POSSESSION OF CONTROLLED SUBSTANCES BY ULTIMATE USERS - ORIGINAL CONTAINER (P.H.L. § 3345)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about April 23, 2012, unlawfully possessed a controlled substance, to wit: oxycodone, outside of the original container in which it was dispensed.

## **C O U N T   S I X**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SEVENTH DEGREE (P.L. § 220.03)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about April 23, 2012, knowingly and unlawfully possessed a controlled substance, namely, amphetamine.

## **C O U N T   S E V E N**

**AND THE GRAND JURY AFORESAID**, by this Indictment, further accuses the said defendant of the crime of:

**OPERATING A MOTOR VEHICLE WHILE LICENSE IS SUSPENDED OR REVOKED IN THE THIRD DEGREE (V.T.L. § 511.1)**, committed as follows:

The said defendant, in the Borough of Staten Island, County of Richmond, City and State of New York, on or about April 23, 2012, did operate a motor vehicle upon a public highway while knowing or having reason to know that his license or privilege of operating such motor vehicle in this state or privilege of obtaining a license to operate such motor vehicle issued by the commissioner was suspended, revoked or otherwise withdrawn by the commissioner of motor vehicles.

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**DANIEL M. DONOVAN, JR.**  
**DISTRICT ATTORNEY**

**A TRUE BILL**

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**FOREPERSON**

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Defendant(s)

Docket No.: **2012RI003869**  
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**I N D I C T M E N T**

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**DANIEL M. DONOVAN, JR.**  
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